

A S P E R G E R C A R A H E R L L C

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October 21, 2004

VIA ELECTRONIC FILING

The Honorable Benson E. Legg
United States District Court
for the District of Maryland
Third Floor, Room 340
101 W. Lombard Street
Baltimore, MD 21201

Re: In the Matter of the Complaint of
Eternity Shipping, Ltd., et al,
For Exoneration from or Limitation of Liability
Civil Action No.: L-01-CV-0250

Dear Judge Legg:

On behalf of all parties to this action, we respectfully request a two week extension of the deadlines for response and reply briefs on the pending motions for summary judgment and on Tate & Lyle's pending motion for spoliation of evidence.

Dispositive motions were filed in this case on October 6, 2004. Under the present schedule, responses are due on October 25, 2004, and replies are due on November 8, 2004. Due to hectic schedules and the health concerns of one attorney, the parties agree that additional time for all parties to respond to the various pending motions is required.

This proposed schedule would include all pending motions for summary judgment and Tate & Lyle's motion for spoliation of evidence. With this extension, the new dates for the briefing of these motions would be as follows:

All briefs in response/opposition to pending motions	November 8, 2004
All reply briefs in support of pending motions	November 22, 2004

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All counsel are in agreement with the foregoing proposed schedule. We would most appreciate your Honor's consideration of the proposed extension of the Scheduling Order.

Respectfully,



Jeffrey J. Asperger

JJA:jg

cc: All Counsel of Record (via facsimile)

CERTIFICATE OF SERVICE

I, Jeffrey J. Asperger, do hereby certify that a true and correct copy of the above and foregoing document was served via email notification from the District Court and via facsimile upon:

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in accordance with all applicable provisions of the Federal Rules of Civil Procedure, on this 21st day of October, 2004.

/s/

Jeffrey J. Asperger